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ATTORNEYS FOR SPCP GROUP, LLC

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

| | | |
|---|---|---|
| **In re:** | § | |
| | § | |
| **PETER R. MORRIS,** | § | **Case No. 10-30240-HDH-11** |
| | § | |
| **Debtor.** | § | **Chapter 11** |

| | | |
|---|---|---|
| **In re:** | § | |
| | § | |
| **PRM REALTY GROUP, LLC,** | § | **Case No. 10-30241-HDH-11** |
| | § | |
| **Debtor.** | § | **Chapter 11** |

**SPCP GROUP, LLC'S OBJECTION TO AMENDED JOINT
THIRD MOTION TO EXTEND EXCLUSIVE TIME TO FILE
AND CONFIRM DEBTORS' PLAN OF REORGANIZATION**
(Refers to Docket Nos. 256 - Morris Case, and 191 - PRM Realty Case)

TO THE HONORABLE HARLIN D. HALE:

SPCP Group, LLC ("SPCP"), a creditor and party-in-interest in the above-referenced Chapter 11 cases (the "Cases"), files this Objection to Joint Amended Third Motion to Extend Exclusive Time to File and Confirm Debtors' Plan of Reorganization, and would respectfully show the Court as follows:

## Factual Background

1. On January 6, 2010, Peter R. Morris ("Morris") filed his Voluntary Petition for Relief under Chapter 11 of Title 11 of the Bankruptcy Code.

2. On January 6, 2010, PRM Realty Group ("PRM Realty") also filed its Voluntary Petition for Relief under Chapter 11 of Title 11 of the Bankruptcy Code. (Morris and PRM Realty are referred to herein, collectively, as the "Debtors").

3. SPCP is a creditor of the Debtors.

4. On November 2, 2010, the Debtors filed their Third Joint Motion to Extend Exclusive Time to File and Confirm Debtor's Plan of Reorganization [Docket No. 241 - Morris Case; Docket No. 185 - PRM Realty Case] (the "Third Motion to Extend").

5. On November 23, 2010, SPCP filed their Objection to Joint Third Motion to Extend Exclusive Time to File and Confirm Debtors' Plan of Reorganization [Docket No. Docket No. 250 - Morris Case; Docket No. 186 - PRM Realty Case] (the "Objection to Third Motion to Extend").

6. On December 30, 2010, the Debtors filed their Amended Third Joint Motion to Extend Exclusive Time to File and Confirm Debtor's Plan of Reorganization [Docket Nos. 256 - Morris Case, and 191 - PRM Realty Case] (the "Amended Motion to Extend").

7. On December 30, 2010, the United States Trustee filed its Motion to Convert to Chapter 7 Under 11 U.S.C. § 1112(b)(1) in the PRM Realty Case [Docket No. 190] (the "Motion to Convert").

8. On January 20, 2011, SPCP filed its Joinder in the Motion to Convert [Docket No. 196.

**Objections to the Motion to Extend**

9. The Amended Motion to Extend is an attempt to circumvent the hearing on the Third Motion to Extend and prolong the exclusivity period without a hearing.

10. The Amended Motion to Extend states that cause exists to extend the exclusivity period because the Debtors have been making substantial efforts to reduce and/or settle significant claims against the estates, and they require additional time to conclude the negotiations and prepare a feasible plan.

11. However, as of today, the Debtors have only shown minimal results in reducing the claims against the estates.

12. SPCP also requests that the Court take judicial notice that (i) several of the related debtor entities are cases that only involve a single piece of real estate in each case and the exclusivity period has either expired without plans being filed and/or without plans being confirmed; (ii) the Debtors' monthly operating reports, (iii) SPCP has filed a Motion to Appoint Trustee Pursuant to 11 U.S.C. § 1104, or, in the Alternative, Convert Case to Chapter 7, or, in the Alternative, to Appoint Examiner [Docket No. 108 - Morris Case], and (iv) the U.S. Trustee has filed the Motion to Convert in the PRM Realty Case and SPCP has filed its Joinder.

13. Therefore, cause does not exist to extend the exclusivity period for the Debtors to file a plan, and in fact, cause exists to deny the request to extend the exclusivity period.

WHEREFORE, PREMISES CONSIDERED, SPCP respectfully requests that this Court (i) sustain SPCP's objections to the Amended Motion to Extend, and (iii) grant such further relief as may be just and proper.

DATED: January 20, 2011.

Respectfully submitted,

McKOOL SMITH P.C.

By: */s/ Ruth Van Meter*

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ATTORNEYS FOR SPCP GROUP, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on January 20, 2011, a true and correct copy of the foregoing document has been served via the ecf system to all creditors listed on the ecf.

*/s/ Ruth Van Meter*
Ruth Van Meter